

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 1448

IN THE MATTER OF:

Application of EXECUTIVE)	
LIMOUSINE SERVICE, INC.,)	Served July 31, 1975
for Certificate of Public)	
Convenience and Necessity)	Application No. 871
to Perform Special Operations)	
)	
Application of EXECUTIVE)	Application No. 872
LIMOUSINE SERVICE, INC.,)	
for Certificate of Public)	Consolidated
Convenience and Necessity)	
to Perform Charter Operations)	Docket No. 289

By Application No. 872, filed July 30, 1975, Executive Limousine Service, Inc. (Executive) seeks a certificate of public convenience and necessity, pursuant to Title II, Article XII, Section 4(b) of the Compact, to transport passengers, together with mail, express, baggage and newspapers, over irregular routes, in charter operations, between Dulles International Airport (Dulles), Chantilly, Virginia, on the one hand, and on the other, those points within the District of Columbia which the carrier is authorized to serve in special operations.

Executive currently holds Certificate of Public Convenience and Necessity No. 18. That Certificate authorizes the performance of special operations, over irregular routes, limited to limousine service, between Dulles, on the one hand, and on the other, the Burlington Hotel, Vermont Avenue at Thomas Circle, N. W., Washington, D. C., and between Dulles, on the one hand, and on the other, the Quality Inn-Capitol Hill, 415 New Jersey Avenue, N. W., Washington, D. C., with an intermediate stop at

L'Enfant Plaza Hotel, 480 L'Enfant Plaza East, S. W., Washington, D. C. Executive also has filed Application No. 871 seeking a certificate of public convenience and necessity to transport passengers, together with mail, express, baggage and newspapers, over irregular routes, in special operations, between Dulles on the one hand, and on the other, the Mayflower Hotel, 1127 Connecticut Avenue, N. W., Washington, D. C., the Shoreham Americana, 2500 Calvert Street, N. W., Washington, D. C., and the Sheraton Park Hotel, 2660 Woodley Road, N. W., Washington, D. C.

Executive proposes to perform the charter operations in either 8 passenger or 14 passenger limousines or 45 passenger or 47 passenger motor coaches. According to Executive, the 47 passenger motor coaches would be available through an affiliated company. The proposed rate structure, filed by Executive as part of the application, reflects the various charges for the several vehicles to be used.

<u>Vehicle Capacity</u>	<u>Rate Per Hour</u>	<u>Rate Per Transfer</u>
11 Passengers or Less	\$ 15.00	\$40.00
12-14 Passengers	\$17.00	\$45.00
15 Passengers or More	\$19.00	\$70.00

The normal rate to be assessed would be the greater of the hourly or transfer charge. If the chartering party is supplied with a licensed guide/driver, then there would be an additional charge of \$5 per hour. Also, the transfer rate only applies to one-way movements and, if the vehicle is delayed more than one-half hour, the transfer rate does not apply and a three hour minimum charge at the hourly rate would be assessed.

Title II, Article XII, Section 4(b) of the Compact provides as follows:

When an application is made under this section for a certificate, . . . , the Commission shall issue a certificate to any qualified applicant therefor, . . . , if it finds, after hearing held upon reasonable notice, that the applicant is fit, willing and able to perform such transportation properly and

to conform to the provisions of this Act and the rules, regulations, and requirements of the Commission thereunder, and that such transportation is or will be required by the public convenience and necessity; otherwise such application shall be denied. (Emphasis added.)

By Order No. 1444, served July 23, 1975, the Commission scheduled Executive's Application No. 871 for public hearing to commence August 26, 1975 and required Executive to file, in advance of that date, several statements and exhibits. Executive has requested the Commission to consolidate any public hearing with respect to Application No. 872 with the public hearing on Application No. 871. Executive also requested the Commission to waive the twenty-five day notice provision in Rule 6-03. Executive has indicated that there are many common questions of fact presented by the two applications and has stated that it would be an unnecessary imposition to require the same witnesses to be present on two separate occasions to provide essentially the same testimony.

Pursuant to the provisions of Rules of Practice and Procedure 20-02, these applications shall be consolidated for public hearing. These proceedings involve common questions of fact. In addition to the statements and exhibits required to be filed by Order No. 1444, the Commission shall require Executive to submit and be prepared to support with a competent witness a statement projecting revenues and revenue deductions, including taxes, for a one-year period, together with supporting details, including the ratio between revenue deductions and revenues, allocated among the several services Executive either currently provides or seeks authority to perform.

Executive shall be directed to file six (6) copies of the statement required hereinbefore with the Commission and serve one copy on each party of record on or before August 21, 1975. Executive shall be prepared to present evidence that public convenience and necessity require the proposed charter service. Should Executive elect to submit prepared testimony at the hearing, then six (6) copies of said testimony also should be filed with the Commission and one copy served on each party of record on or before August 21, 1975.

THEREFORE, IT IS ORDERED:

1. That Application No. 872 of Executive Limousine Service, Inc., be, and it is hereby, consolidated with Application No. 871 of Executive Limousine Service, Inc.
2. That the consolidated proceeding be, and it is hereby, scheduled for public hearing to commence Tuesday, August 26, 1975, at 10:00 A.M., in the Hearing Room of the Commission, Room 314, 1625 I Street, N. W., Washington, D. C. 20006.
3. That Executive Limousine Service, Inc., publish in a newspaper of general circulation in the Metropolitan District and post in each vehicle that it operates a notice in the form prescribed by the staff of the Commission of Application No. 872 and the consolidated hearing no later than Thursday, August 7, 1975, and present at the hearing a certificate of publication from the selected newspaper and a certification of posting.
4. That six (6) copies, the original to be submitted at the hearing, of the statement required hereinbefore be filed by Executive Limousine Service, Inc., with the Commission and one copy served on each party of record on or before Thursday, August 21, 1975.
5. That any person desiring to protest shall file a protest in accordance with Commission Rule 14, or any person desiring to be heard on this matter shall notify the Commission, in writing, on or before Tuesday, August 19, 1975, and shall mail a copy of such protest or notice to counsel of record for Executive Limousine Service, Inc., Maxwell A. Howell, Esquire, Suite 1100 Investment Building, 1511 K Street, N. W., Washington, D. C. 20006.

FOR THE COMMISSION:

Hyman J. Blond

HYMAN J. BLOND
Executive Director